

**The Bill Blackwood  
Law Enforcement Management Institute of Texas**

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**The Benefits of a Dedicated Traffic Enforcement Unit**

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**An Administrative Research Paper  
Submitted in Partial Fulfillment  
Required for Graduation from the  
Leadership Command College**

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June 2007**

## **ABSTRACT**

Forming a dedicated traffic enforcement unit is relevant to contemporary law enforcement because Comal County is one of the dynamic, rapidly growing areas of Texas. Situated just north of the San Antonio, Bexar County Area it is also not far south of the Austin, Travis County area.

The purpose of this research is to show that growth has put an unprecedented strain on all forms of infrastructure, most noticeably highways and secondary roads. Farm to market and ranch to market roads designated for agricultural traffic, now have to handle daily commuter traffic. The additional traffic has led to increased automobile accidents. Calls for service from the public related to traffic complaints have also increased. These additional traffic related calls pull officer's away from other duties such as crime suppression patrols in neighborhoods and business districts. All of these factors place a strain on law enforcement resources.

While improvements to highways (such as the widening of IH 35) and the current construction that is adding protected left turn lanes to congested Texas Hwy 46, have helped, they do not address the enforcement areas. Dangerous driving can only be addressed by vigorous traffic law enforcement.

It is the purpose of this research is to demonstrate a workable solution to traffic enforcement problems. Ideally, the proposed solution will not be a financial burden to the county and its tax payers. This research will outline both personnel and funding strategies that will accomplish the goal of establishing a dedicated traffic enforcement squad and can also serve as a template for other jurisdictions experiencing similar circumstances.

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## INTRODUCTION

As a community grows and its population increases, the effects of a high number of additional vehicles on the roadways can create a number of serious problems. These problems include a higher incident of automobile accidents, resulting in a rise in the levels of related occupant injuries and death. Also, additional automobile operation related complaints to law enforcement places extra stress on marked patrol resources.

The purpose of this research is to create basic criteria for determining the benefit of establishing a specialized traffic enforcement unit. This special unit would be devoted to addressing traffic related incidents, problems and complaints within its jurisdiction. The special unit's purpose would be to reduce automobile accidents through the vigorous enforcement of traffic laws and high profile intervention activities and reduce pressure on normal marked patrol units so they can devote more time to residential and business patrol, which tends to suppress criminal activity.

Since a representative jurisdiction is needed to use as a focus of this study, the author will use Comal County Texas, his home jurisdiction as the test subject. The data used must be complete and broad based because possible information will be gathered from many practical sources. Those sources will include, but not necessarily be limited to, the Texas Department of transportation records, Comal County Sheriff Office Dispatch Records, the National Highway Traffic Safety Administration, opinion polls of Comal County Sheriff Office deputies, and opinion polls of Comal County citizens.

It is anticipated that this research will demonstrate that a serious problem has developed related to automobile operation and traffic within the subject jurisdiction. The author further anticipates that proven methods of dealing with this problem will be revealed by the research, as well as becoming a practical means of applying the solution to the subject jurisdiction to include workable approaches to funding the Traffic Enforcement Unit.

It is important to consider the historical, legal and theoretical context of traffic law enforcement. Since the appearance of the automobile on the roadways of the United States of America (over 100 years ago), society has struggled to keep up with the problems that have arisen out of the automobile's use and misuse. Laws and regulations tend to be slow in coming. Early speed limits were mostly a result from automobiles spooking horses and mules, which up until that time were the only means of personal transportation other than by foot. Additionally, the noise problem caused local laws to be enacted to deal with that nuisance. In the State of Texas, drivers were not even required to meet any licensing requirements for almost three decades after the first motor vehicles hit the roads and cattle trails of the State. Leading up to this time, most traffic laws were local in nature since most automobiles were located in towns and cities and didn't stray too far from there because of the road conditions and the less than reliable nature of early automobiles. The mocking call of "Get a horse" was commonly made to broken down or stuck in the mud motorists. It didn't take too many years before improved vehicles and better roads made traveling much more practical. Along with these improvements came a rise in speeds on the road, more automobiles and corresponding rises in deaths and injuries. Beginning first locally, then on a state

wide basis, law enforcement began to respond to the challenge in all sections of the United States. In time standards in roadway construction and signage helped to provide an additional level of safety by lessening confusion. The problem has always been how to convince the individual motorist to conform to the laws and regulations that were put in place to make his or her travels as safe as humanly possible. The State of Texas, as all other states, has a traffic enforcement agency. The Texas Department of Public Safety Highway Patrol, or more commonly referred to as the "T.H.P.", is exemplary in both reputation and effectiveness on the highways and byways of the state. Like most law enforcement agencies, the T.H.P. must work with finite manpower resources. The slack must then be taken up by local jurisdictions in trying to insure motorist safety through enforcement of appropriate traffic laws. As municipalities grew, many realized that there was a need for a specialized traffic enforcement division within their respective police forces. Over time many counties began to experience the same problems. This was especially true of those counties that bordered major metropolitan areas. The author's home county, Comal County Texas, is experiencing just such a problem. Comal County will be the subject of this dissertation.

Comal County is bordered on the south by Bexar County and the city of San Antonio. This is one of the top three metropolitan areas in the State of Texas, the other two being Houston and the Dallas- Ft. Worth area. Comal County is crossed north to south by Interstate 35 and U.S. Hwy 281. Comal County's population countywide is approaching 100,000 with the corresponding rise in the number of motor vehicles and miles driven. County roads, Farm to Market roads and Ranch to Market roads are currently handling traffic flows that they were not designed for. The Texas Department

of Transportation has taken some temporary actions in an attempt to cut down on rear end collisions on F.M.306 and Texas Highway 46. Left turn lanes have been added at some of the worse intersections and overpasses have been approved for construction at Hwy 46 and FM 2722, Hwy 46 and F.M.3159 and U.S. Hwy 281 and F.M. 306 as well as overpasses at both Union Pacific Railroad crossings on F.M. 306. While all of these improvements are sorely needed and will help to varying degrees, the problem of adequate enforcement remains. All the while land developers continue to buy up former ranchland and lay out new subdivisions adding to the traffic congestion problems with no end in sight and the construction of new highways unlikely anytime soon. Currently, the only project on line for the very near future is a widening of U.S. Hwy 281 from the Guadalupe River to the Blanco county line.

Current assigned T.H.P. Troopers at the New Braunfels office number approximately 10. They perform traffic enforcement, work accidents and perform D.W.I. enforcement. T.H.P. Troopers also assist local jurisdictions as needed or requested. At this time there are no know plans to assign additional Troopers to the New Braunfels / Comal County Department of Public Safety office.

Additionally, there are three municipalities that have police departments in Comal County. The oldest municipal police agency is the New Braunfels Police Department. This agency has a long history of effective traffic enforcement in that jurisdiction. Garden Ridge has the next oldest police agency. They also actively enforce traffic regulations. The newest agency in Comal County is the Bulverde Police Department. They have gotten off to a good start, however, most of Comal County remains

unincorporated. This leaves enforcement up to the T.H.P. and the Comal County Sheriff Office in these unincorporated areas.

The Comal County Sheriff Office has an approved strength level of 86 sworn officers. Of this number 49 are normally allocated to uniform patrol duty. The remaining deputies are assigned to Criminal Investigation, Warrants, Civil Process and Administration. All of these functions are also vital to an effective Sheriff Office operation. Since the election of the current sheriff, Bob Holder, all marked patrol units have radar units in them to give them better traffic enforcement capabilities. Mobile video cameras are also installed in all marked patrol cars. Additionally, there is a single deputy, whose primary duty is traffic enforcement, assigned to the day and evening shifts. The additional equipment and manpower has helped some but the problems with traffic accidents and traffic law violations continues to grow. Comal County is not unique in that it is experiencing a rise in traffic related problems and calls for service, traffic related. According to National Highway Traffic Safety Administration (NHTSA) (i) the national death toll due to automobile accidents has come up slightly, 1.4% from 42,836 in 2004 to 43,443 in 2005 ( see attachment "A" ).

In order to get a grasp on the trends for automobile accidents and traffic related calls in Comal County the author selected a specific grouping of months to obtain data from. The date range that data is obtained from is May 15<sup>th</sup> through September 15<sup>th</sup>. Comal County is well known as a tourist destination with water related activities being the main attraction. These are the peak months that encompass Memorial Day through Labor Day. The initial year used is 1996 with the comparison year being the current



year 2006. The data obtained was through Comal County Sheriff Office dispatch records for those dates (see attachment "I").

Just before the present sheriff took office in 1996 records show that from May 15<sup>th</sup> 1996 to September 15<sup>th</sup> 1996 there were 116 minor automobile accidents, 82 major accidents (with injuries or reported possible injuries) and 2 fatal accidents. During the same date range in 2006, May 15<sup>th</sup> through September 2006, there were a reported 322 minor accidents, 98 major accidents and 4 reported fatal accidents. While major accidents were not up that much, 16 in total, the minor accident rate almost tripled and the traffic fatality rate doubled. Also other rates of automobile operation complaints were high for 2006. There were 461 complaints for reckless drivers (speeding, tailgating, road rage and unsafe lane changes) and 153 complaints of possible DWI drivers. Although the author could not retrieve these type records for the year 1996, it is believed that they would be similar to, or worse than the minor accident rate that almost tripled in that same time frame in 2006. All automobile related calls for the test period in 2006 numbered 1038. The complaints and accidents had to be handled mostly by regular deputies in addition to their normal duties.

Literally thousands of hours that could have been dedicated to preventive patrol, crime suppression and answering citizen calls for service were instead spent on traffic related matters. With a squad of deputies specifically earmarked for traffic law enforcement matters, much could be accomplished toward easing the problems of traffic scofflaws and the need to pull regular deputies away from their normal duties to address traffic and motor vehicle related problems.

## REVIEW OF LITERATURE

At this time deputies in the uniform patrol division of the Comal County Sheriff's Office face a paradox. Automobile related complaints and accidents pull them away from their normal duties and their normal duties demand their attention to the point that they can't effectively address the need for deterrent traffic enforcement. The two officers assigned currently to traffic enforcement duties do a good job but they are only two people while the situations they need to address number in the hundreds on a weekly basis. According to NHTSA (i) compliance with the requirement to wear seatbelts is not as widely obeyed as it should be. In 2004 there were a reported 1,269,000 automobile crashes with 517,000 injuries, for 2005 there were 1,063,000 automobile crashes with 468,000 injuries. These numbers showed a slight reduction from 2004 to 2005, however automobile crash death number are a different matter (see attachment "B"). In 2005 there were 43,443 automobile crash deaths nationwide up 1.4% from 2004 (see attachment "A"). Of those deaths over half, 55%, were not restrained by a seatbelt (see attachment "C"). Failure to comply with seatbelt laws is also a common problem in Comal County. This is one of the many enforcement actions, along with speed law and DWI enforcement that could make a real difference in the levels of injuries and deaths that occur as a result of car crashes in Comal County.

It is the opinion of the author, based on his experience and Comal County records, that an initial team of five deputies consisting of a supervisor and four deputies would be a good starting point. They should work a flexible work schedule that capitalizes on peak traffic problem areas and times of day when most effective. Problem areas such as school zones could be saturation patrolled. Traffic complaints

by citizens could be checked out in a timely manner and verified as to their validity. The traffic units would also handle traffic control at automobile crash scenes, work the accidents themselves when needed and take over DWI arrests for regular patrol deputies so that they could return to their normal duties.

In order for the traffic enforcement unit to have maximum effectiveness the deputies selected for this team would need to be highly motivated to do the job and have proven themselves to be energetic traffic enforcers. They would need to be self-starters who proved their capabilities to their supervisors while assigned to regular patrol duties. This sort of dedication to duty would be necessary so that no supervisory motivation would be called for that could be mistaken for setting a "quota".

Another possibility for additional personnel is to form a task force with another agency or agencies. Many law enforcement agencies have made the most of limited manpower in the past for narcotics enforcement by joining with other agencies to go after the problem. The natural agency for the Comal County Sheriff Office to team up with would be the New Braunfels Police Department. Both agencies have similar enforcement philosophy and personnel that have a history of working well together at past agency cooperative ventures.

The author took unscientific polls of Comal County citizens and Comal County Sheriff Office patrol deputies that tended to universally support the concept of a dedicated Traffic Enforcement Unit. While citizens felt that traffic conditions around the county needed additional law enforcement attention, deputies felt that the traffic unit would indeed help them to perform the multitude of other tasks that the citizens of

Comal County have come to expect of them. No serious reservations were expressed by anyone polled about the possible traffic unit.

One of the obvious concerns to the agency wishing to look into the formation of a Dedicated Traffic Enforcement Unit is the start up costs. Initially, the unit should consist of the dedicated type deputies or officers already mentioned in this dissertation. They could use their currently assigned patrol cars and associated equipment. As the traffic unit goes about the business of energetically enforcing traffic laws they should be fully financially self-sustaining without causing funds to be drawn from the general fund. As time passes and the unit continues in performance of its function there should be adequate funding generate by its operations to cover the costs of additional personnel, and replacement or upgraded equipment of vehicles. In short this new unit should almost immediately become self-sustaining and not need any significant supplemental funding.

## **METHODOLOGY**

The author's goal in conducting this research is to produce an answer to the research question; is there a verifiable need for additional local traffic law enforcement? The author's purpose is to establish the value of, and need for enhanced public safety through energetic traffic law enforcement. The author hypothesizes that this research will confirm that both officers and law enforcement agencies benefit when traffic enforcement is a more specialized function. Additionally, the author contends that this study will also affirm that as a result of enhanced enforcement efforts, the occurrence of automobile accidents will show a decline. Having established these results through

research, the author ultimately hopes that the need will be shown for the establishment of a special dedicated traffic enforcement unit.

Data has been collected from twenty five Texas law enforcement officers from local Texas Highway Patrol troopers, Comal county Deputies, and Bulverde Police Department. Of the data from random citizen's contacts, approximately ten will also be included in the data used. This will be accomplished through the administration of a survey utilizing telephonic and in person oral response questions. Being conducted on a one to one basis makes for a 100 percent response from all persons surveyed. Analysis of automobile accident and automobile related complaint calls for service will also be used. This data will produce statistics regarding the currently employed use of non-specific traffic enforcement strategies and how the use of special dedicated traffic enforcement methods can be markedly more effective and financially self sustaining in its operations. Most importantly, a path to sustained reductions in automobile related death, injuries, and property damage will be demonstrated clearly.

In the finally analysis, the benefits to public safety are the paramount benefits to be shown by any traffic law enforcement effort. All analysis of data must be fairly conducted to achieve the accuracy of the projected outcome that is desired from this exercise. In the end, enhanced dedicated traffic law enforcement must be shown to be workable and cost effective to be taken seriously under consideration by agency, administrators, and local government officials who decide whether or not to endorse and support a concerted traffic law enforcement program.

## **FINDINGS**

The months chosen for this comparison are the prime tourist visitation months in Comal County. This period runs from May 15<sup>th</sup> thru September 15<sup>th</sup>. This period encompasses all the major summer holidays. The years chosen were the last current year 2006 and ten years back to 1996. All information used for this chart came from Comal County Sheriff Emergency services dispatch records. You can see increases in all three areas, minor accidents, major accidents and traffic fatalities. With the largest increases percentage wise coming in the way of traffic related fatalities (100 percent) with (2) on record for 1996 and (4) on record for 2006. Note that this is not for the entire year but for the time period of four months.

Minor accidents increased from (116) in 1996 to (322) in 2006 during the test months. This reflects an increase of 277 percent. Meanwhile, major accidents increased only slightly from (82) in 1996 to (98) in 2006. It is possible that the lower number of major or injury accidents shows the improvements in vehicle occupant safety devices in newer vehicles. It could also be the result of public service ads campaigns stressing seatbelt use.

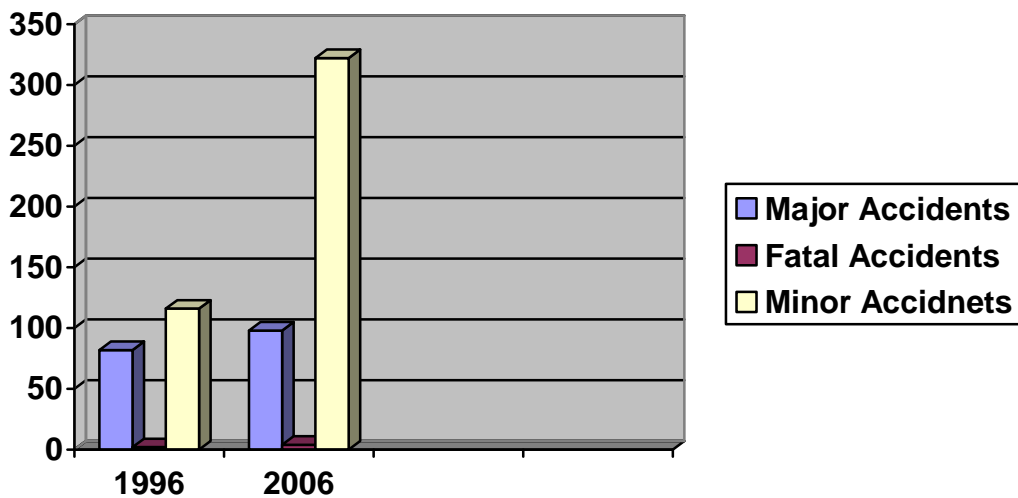


Figure 1: Records of minor accidents, major accidents and traffic fatalities from the Comal County Sheriff's emergency services dispatch records.

## CONCLUSION

The traditional mission of law enforcement has always been first to protect lives, and secondly to protect property. The ongoing carnage and destruction on America's highways is a problem that many dedicated peace officers have dedicated their careers to trying to stem. The toll in lives and the astronomical costs in damage to property is, by its very nature, unacceptable. Something can and must be done beginning on the local level in every town, every city, on every highway and every street across America. Individually we can accomplish only so much but if we do not try our level best as individual peace officers then nothing will change, anywhere. If jurisdictions across the country will all do what they can to ramp up traffic law enforcement efforts then it is the author's earnest belief that a truly profound change can be made to come about.

In Comal County the same conditions exist as prevail in the rest of the country. In the author's opinion the formation of a Dedicated Traffic Enforcement Unit formed

from within the Comal County Sheriff Office, from its current contingent of deputies is feasible and would be a benefit to Law Enforcement, Comal County, and its citizens in general. There is nothing to loose and everything to gain by giving this matter thorough and genuine consideration.



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